

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION**

Santana Bryson and Joshua Bryson,
as Administrators of the Estate of
C.Z.B. and as surviving parents of
C.Z.B., a deceased minor,

Plaintiffs,

v.

Rough Country, LLC,

Defendant.

Case No. 2:22-CV-017-RWS

JURY TRIAL DEMANDED

**DEFENDANT ROUGH COUNTRY, LLC'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant Rough Country, LLC ("Rough Country"), pursuant to Fed. R. Civ. P. 56 and Local Rule 56.1, and files this, its Motion for Summary Judgment on the grounds that there is no genuine issue of material facts as to certain claims asserted by Plaintiffs Santana Bryson and Joshua Bryson, as Administrators of the Estate of C.Z.B. and as surviving parents of C.Z.B., a deceased minor ("Plaintiffs"). More specifically, Rought Country shows that it is entitled to summary judgment as to Plaintiff's claims for: (1) failure to warn; (2) negligence per se; (3) conscious pain and suffering; and (4) punitive damages. Further, to the extent that

the Court finds that there was an intervening act, Rough Country would be entitled to summary judgment as to the remainder of Plaintiff's claims because there would be a lack of causation of any claimed injury.

In further support of this Motion, Rough Country contemporaneously filed its Memorandum of Law in Support, certain exhibits and deposition transcripts, its Statement of Undisputed Material Facts, and further relies on all other pleadings and evidence properly before the Court.

WHEREFORE, Rough Country respectfully requests that the Court enter judgment as a matter of law as to Plaintiff's claims for: (1) failure to warn; (2) negligence per se; (3) conscious pain and suffering; and (4) punitive damages, and that this Motion be **GRANTED**.

This 15th day of August, 2024.

Respectfully submitted,
WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC

/s/ Aaron B. Chausmer

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RULE 7.1D CERTIFICATE OF TYPE, FORMAT, AND FONT SIZE

Pursuant to Local Rule 7.1D of the United States District Court of the Northern District of Georgia, the undersigned certifies that the foregoing submission to the Court complies with Local Rule 5.1 in that it was computer-processed, double-spaced between lines, and used Times New Roman font of 14 point size.

CERTIFICATE OF SERVICE

This is to certify that I have electronically served the foregoing filing with the Clerk of Court via CM/ECF, which will send a copy to the following attorneys of record:

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This, the 15th day of August, 2024.

/s/ Aaron B. Chausmer
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